

Docket No.: 50060/50006
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Didier Pribat et al

Application No.: 10/574,186

Confirmation No : 7438

Filed: March 30, 2006

Art Unit: 1754

For: A Method of Synthesizing Nanoscale
Filamentary Structures, and Electronic
Components Comprising Such Structures

Examiner: To be assigned

REQUEST FOR REPUBLICATION PURSUANT TO 37 CFR 1.221(a)

Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request republication of the above-referenced application after the following U.S. Patent and Trademark Office errors have been corrected.

1. The above-referenced application, which published as US2006/0292870 only lists a single inventor by the name of Didier Pribat. However, the application as filed included three inventors. In addition to Mr. Pribat, Mr. Jean-Eric Wegrowe, and Mr. Travis Wade should be listed. A copy of the Application Data Sheet as filed with the application and listing the three inventors is attached as Exhibit A for the reference of the Patent Office.

2. The nationality of the first named inventor, Didier Pribat, is incorrectly listed on the publication as being (US) when in fact, Mr. Pribat is a citizen of France. Again, this information was correctly listed on the Application Data Sheet as filed.

3. The publication correctly lists the PCT application to which this U.S. application claims priority by way of being a national phase application, but does not make

reference to the French patent application to which the PCT application claims priority and thus by which the U.S. application claims ultimate priority as well. That French priority application number is FR 03 11959 and was filed on October 13, 2003. Again, this information was filed with the application and is listed on the enclosed Application Data Sheet.

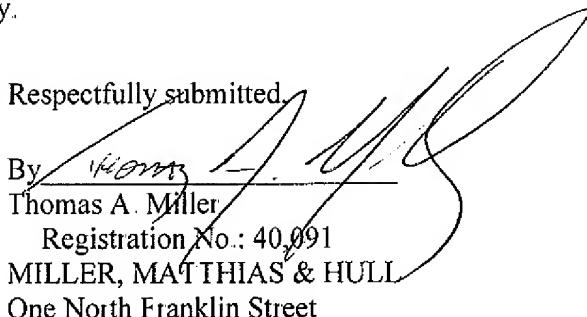
4. The correspondence address contains a misspelling. It should list Miller, Matthias & Hull, not Miller, Matthis & Hull. A copy of the application transmittal sheet as filed with the application and correctly listing the correspondence address is enclosed as Exhibit B.

5. The application was filed with a preliminary amendment. However, some of the changes set forth therein are incorporated in the application as published, but some are not. More specifically, the reference numerals are deleted from the abstract, but the application section headings have not been added. A copy of the preliminary amendment filed with the application is enclosed as Exhibit C.

In light of the foregoing, Applicants respectfully request that the application be republished under the provisions of 37 CFR 1.221(a) with the above-noted U.S. PTO errors corrected. The publication fee and processing fee under 37 CFR 1.18(d), and 37 CFR 1.17(i), respectively, will be paid electronically.

Dated: March 1, 2007

Respectfully submitted,

By 
Thomas A. Miller

Registration No.: 40,091
MILLER, MATTHIAS & HULL
One North Franklin Street
Suite 2350
Chicago, Illinois 60606
(312) 977-9902
Attorney for Applicant

EXHIBIT A

Application Data Sheet

Application Information

Application Type:: Regular
Subject Matter:: Utility
Suggested Group Art Unit:: N/A
CD-ROM or CD-R?:: None
Sequence submission?:: None
Computer Readable Form (CRF)?:: No
Title:: A Method of Synthesizing Nanoscale
Filamentary Structures, and Electronic
Components Comprising Such Structures
Attorney Docket Number:: 28944/50030
Request for Early Publication?:: No
Request for Non-Publication?:: No
Total Drawing Sheets:: 8
Suggested Dwg. Figure for Pub.?:: N/A
Small Entity?:: No
Petition included?:: No
Secrecy Order in Parent Appl.?:: No

Applicant Information

Applicant Authority Type:: Inventor
Primary Citizenship Country:: France
Status:: Full Capacity
Given Name:: Didier
Family Name:: Pribat
City of Residence:: Sevres
Country of Residence:: France
Street of mailing address:: 1, rue Leon Bourgeois
City of mailing address:: Sevres
Country of mailing address:: France
Postal or Zip Code of mailing address:: 92310

Applicant Authority Type:: Inventor
Primary Citizenship Country:: France
Status:: Full Capacity
Given Name:: Jean-Eric
Family Name:: Wegrowe
City of Residence:: Paris
Country of Residence:: France
Street of mailing address:: 5, rue Monticelli
City of mailing address:: Paris
Country of mailing address:: France
Postal or Zip Code of mailing address:: 75014

Applicant Authority Type:: Inventor
Primary Citizenship Country:: France
Status:: Full Capacity
Given Name:: Travis
Family Name:: Wade
City of Residence:: Paris
Country of Residence:: France
Street of mailing address:: 17, cite Bauer
City of mailing address:: Paris
Country of mailing address:: France
Postal or Zip Code of mailing address:: 75014

Correspondence Information

Correspondence Customer Number:: 57726

Representative Information

Representative Customer Number:: 57726

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/FR2004/02584	10/12/2004

Foreign Priority Information

Country::	Application number::	Filing Date::	Priority Claimed::
France	FR 03 11959	10/13/2003	Yes

Assignee Information

Assignee name:: Centre National De La Recherche
Scientifique – CNRS
Street of mailing address:: 3, rue Michel-Ange
City of mailing address:: Paris
Country of mailing address:: France
Postal or Zip Code of mailing address:: 75794

Assignee name:: Ecole Polytechnique
Street of mailing address::
City of mailing address::
Country of mailing address::
Postal or Zip Code of mailing address::

EXHIBIT B

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 28944/50030
INTERNATIONAL APPLICATION NO. PCT/FR2004/002584 US	INTERNATIONAL FILING DATE 12 October 2004	PRIORITY DATE CLAIMED 13 October 2003
TITLE OF INVENTION A METHOD OF SYNTHESIZING NANOSCALE FILAMENTARY STRUCTURES, AND ELECTRONIC COMPONENTS COMPRISING SUCH STRUCTURES		
APPLICANT(S) FOR DO/EO/US Didier Pribat, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1 <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371</p> <p>2 <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371</p> <p>3 <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below</p> <p>4 <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5 <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p>a <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau)</p> <p>b <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p>c <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6 <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p>a <input checked="" type="checkbox"/> is attached hereto</p> <p>b <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4)</p> <p>7 <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))</p> <p>a <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau)</p> <p>b <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired</p> <p>d <input checked="" type="checkbox"/> have not been made and will not be made</p> <p>8 <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3))</p> <p>9 <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4))</p> <p>10 <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5))</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11 <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98</p> <p>12 <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13 <input checked="" type="checkbox"/> A preliminary amendment</p> <p>14 <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76</p> <p>15 <input type="checkbox"/> A substitute specification</p> <p>16 <input type="checkbox"/> A power of attorney and/or change of address letter</p> <p>17 <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter 2 and 37 CFR 1.821 - 1.825</p> <p>18 <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19 <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20 <input checked="" type="checkbox"/> Other items or information: Return receipt postcard</p>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

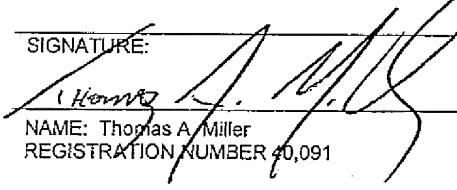
U. S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO PCT/FR2004/002584 US	ATTORNEY'S DOCKET NUMBER 28944/50030	
The following fees have been submitted		CALCULATIONS	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300		\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ... \$0 All other situations \$200			
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500		\$ 200.00	
TOTAL OF 21, 22 and 23 =		\$ 400.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)) The fee is \$250 for each additional 50 sheets of paper or fraction thereof		\$ 900.00	
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	
30 - 100 =	/50 =	x \$250.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	25-20 =	5	x 50.00
Independent claims	2-3 =	0	x 200.00
MULTIPLE DEPENDENT CLAIM(s) (if applicable)		+ 360.00	\$
TOTAL OF ABOVE CALCULATIONS =		\$ 250.00	\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2		\$	\$
SUBTOTAL =		\$	\$
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (i)).		+ \$	\$
TOTAL NATIONAL FEE =		\$	\$
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$	\$
TOTAL FEES ENCLOSED =		\$ 1,150.00	\$
		Amount to be refunded: \$	\$
		Amount to be charged: \$	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 300.00 to cover the above fees is enclosed			
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed			
c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____ A duplicate copy of this sheet is enclosed			
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.			
SEND ALL CORRESPONDENCE TO:			
CUSTOMER NUMBER: 57726			
Thomas A. Miller			
Miller, Matthias & Hull			
One North Franklin			
Suite 2350			
Chicago, IL 60606			
SIGNATURE: 			
NAME: Thomas A. Miller			
REGISTRATION NUMBER 40,091			

EXHIBIT C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE AS
DESIGNATED/ELECTED OFFICE

Applicant: Didier Pribat, et al.) Title: A Method of Synthesizing Nanoscale
) Filamentary Structures, and Electronic
Serial No.: To be assigned) Components Comprising Such Structures
)
Intl. Appl. No.: PCT/FR2004/02584 US) Group Art Unit: To be assigned
)
Intl Filing Date: 12 October 2004) Examiner: To be assigned
)
) Filed: Herewith

PRELIMINARY AMENDMENT ACCOMPANYING FILING OF NATIONAL STAGE
APPLICATION UNDER 35 U.S.C. 371

*Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450*

Sir:

Prior to examination, please amend the accompanying application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendment to the Abstract begin on page 3 of this paper.

Remarks/Arguments begin on page 4 of this paper.

Amendments to the Specification:

At page 1, immediately after the title on line 4, please insert the following paragraph:

--Cross-Reference to Related Application

This is the U.S. National Phase of International Application No. PCT/FR2004/02584 filed 12 October 2004, the entire disclosure of which is incorporated herein by reference.--

At page 1, line 4, please insert the following heading:

--Field of the Invention--

At page 1, line 7, please insert the following heading:

--Background of the Invention--

At page 2, line 1, please insert the following heading:

--Summary of the Invention--

At page 5, line 10, please insert the following heading:

--Brief Description of the Drawings--

At page 6, line 10, please insert the following heading:

--Description of Preferred Embodiments--

IN THE ABSTRACT

A method of synthesizing electronic components incorporating nanoscale filamentary structures in which method a metallic catalyst (7) is deposited in a nanoporous membrane (3), the catalyst being adapted to penetrate in at least some of the pores (8) of the nanoporous membrane (3), and filamentary structures are grown on the catalyst in at least some of the pores (8) in the nanoporous membrane (3). The nanoporous membrane (3) is prepared in a manner suitable for ensuring that the wall of the pores (8) include a single-crystal zone, and at least part of the catalyst (7) is grown epitaxially on said single-crystal zone.

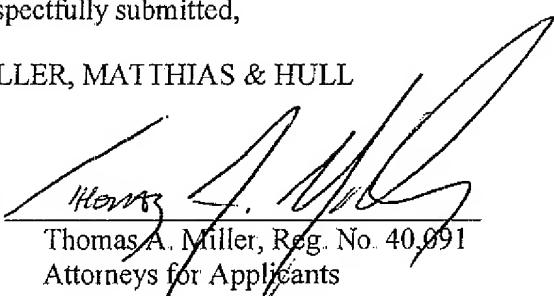
REMARKS

By the foregoing amendments, the specification has been revised to provide a cross-reference to the international application and appropriate headings. In addition, the abstract has been amended to omit reference numerals to better conform to U.S. practice.

The filing fee has been calculated based on the claims as amended above. No new matter has been added.

Respectfully submitted,

MILLER, MATTHIAS & HULL

By: 

Thomas A. Miller, Reg. No. 40,991
Attorneys for Applicants

One North Franklin
Suite 2350
Chicago, Illinois 60606
(312) 977-9903

March 30, 2006